

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

CELSIUS NETWORK LLC, et al.,

Debtors.

Case No. 22-10964 (MG)

**ORDER CLARIFYING CASE MANAGEMENT
PROCEDURES FOR THE CONFIRMATION HEARING (MODIFICATION #2)**

The Order Establishing Case Management Procedures for the Confirmation Hearing was entered on September 15, 2023. (“Procedures Order,” ECF Doc. # 3478.) On September 20, 2023, the Procedures Order was modified pursuant to the Order Clarifying Case Management Procedures for the Confirmation Hearing (Modification #1). (ECF Doc. # 3509.) On October 9, 2023, Debtors’ counsel submitted a letter, requesting certain additional clarifications, additions, and modifications to the Procedures Order. (ECF Doc. # 3738.)

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Extension of Deposition Period for Declarants in Opposition to Confirmation.

The period for the Debtors to depose individuals who indicate an intent to submit written testimony in opposition to confirmation is extended to between October 10, 2023 and the day before that witness is proposed to testify.

2. Procedures Governing Remote Testimony. Any requests for remote testimony made in compliance with Federal Rule of Civil Procedure 43(a) in accordance with paragraph 6 of the Procedures Order must be submitted by 5:00 p.m. (ET) on October 12, 2023. In the event remote testimony is permitted, declarants and/or other witnesses are required to appear on camera for all portions of questioning.

3. Order of Opposition Declarants. The Debtors' request for the Court to disclose the tentative order in which the Court anticipates taking testimony from declarants or other witnesses in opposition to confirmation is approved.

4. Exhibits and Demonstratives for Cross Examination. Any exhibits and demonstratives that parties-in-interest intend to use during cross examination must be filed on the docket no later than 5:00 p.m. (ET) the day before a witness is expected to testify.

5. Rebuttal Evidence in Support of Confirmation. Parties are permitted to submit rebuttal declarations and exhibits in support of confirmation of the plan upon the close of the opposition phase of the Confirmation Hearing. Such rebuttal declarations and exhibits must be filed no later than 5:00 p.m. (ET) on October 18, 2023.

IT IS SO ORDERED.

Dated: October 10, 2023
New York, New York

/s/ Martin Glenn
MARTIN GLENN
Chief United States Bankruptcy Judge